

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----		X	
MALIK L. BROWN,		:	
		:	
Plaintiff,		:	21 CV. 214 (CS)
		:	
- against -		:	<b>DECLARATION OF ANDREW</b>
		:	<b>BLANCATO</b>
STEPHEN URBANSKI,	:	:	
JOSEPH DEACON, and	:	:	
MARK DELBIANCO,	:	:	
	:	:	
Defendants.		X	
-----			

ANDREW BLANCATO, an attorney duly licensed to practice law before this Court, declares the following to be true to the best of my knowledge under penalty of perjury:

1. I am an Assistant Attorney General in the office of LETITIA JAMES, Attorney General of the State of New York, counsel for defendant in this matter.
2. I am fully familiar with the pleadings and discovery in this matter and submit this Declaration in support of defendants Stephen Urbanski, Joseph Deacon, and Mark DelBianco's ("Defendants") motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. True and accurate copies of the following documents are annexed:
  - A. Deposition transcript of Plaintiff, dated June 22, 2022;
  - B. Directive 4933, dated April 18, 2017;
  - C. Plaintiff disciplinary packet from 4-23-2020 Incident;
  - D. Plaintiff's restraint orders combined;
  - E. Surveillance video footage from 21A recreation yard, June 14, 2020;<sup>1</sup>

---

<sup>1</sup> Please note this video will be provided via CD-ROM with the courtesy copy of the motion pursuant to the Court's Rules rather than uploaded to ECF. Please further note that the footage

- F. Use of force report for June 14, 2020 incident;
- G. Screenshot of surveillance Video at 15:09;
- H. Screenshot of surveillance video at 15:12;
- I. Plaintiff's brief in opp. to Defendants' motion to dismiss, filed June 21, 2021;
- J. OSI investigative report, dated August 2020;
- K. Defendant Deacon's responses to Plaintiff's written deposition questions;
- L. Defendant DelBianco's responses to Plaintiff's written deposition questions.

WHEREFORE, for the reasons stated in the accompanying memorandum of law, Defendant respectfully submits that this Court should grant the underlying motion dismissing the Amended Complaint.

Dated: New York, New York  
December 30, 2022

Respectfully submitted,

LETITIA JAMES  
Attorney General of the  
State of New York  
Attorney for Defendant  
By:

/s/ Andrew Blancato  
ANDREW BLANCATO  
Assistant Attorneys General  
28 Liberty Street  
New York, New York 10005  
(212) 416-6359

---

cannot be played with Windows Media Player, it requires VLC media player or a similar application.